

REMARKS REGARDING RESTRICTION REQUIREMENT

In the outstanding Office Action, the Examiner requires restriction to one of the following inventions under 35 U.S.C. §121:

- Group I** Claims 1-18, drawn to a spacer for a slitter,
classified in class 83, subclass 664.
- Group II** Claims 19-23, drawn to a method of slitting metal,
classified in class 83, subclass 13.

The Examiner has requested Applicants to restrict the claims to a single disclosed species pursuant to 35 U.S.C. §121.

Applicant hereby elects to prosecute the subject matter of Group I. For the reasons discussed below, the election is made with traverse. Consistent with this election, Applicant has cancelled claims 19-23.

REMARKS REGARDING ELECTION OF SPECIES REQUIREMENT

The Examiner contends that the claims of the subject application are directed to the following distinct species:

Species A, drawn to the embodiment shown on Figure 1; and

Species B, drawn to the embodiment shown on Figure 2.

The Examiner has imposed a requirement under 35 U.S.C. § 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. The Examiner states that currently there may be some generic claims.

Applicant respectfully submits that some of the originally filed claims are generic and read on both embodiments of the present invention. The generic claims include at least independent claims 1-3, 8, 13 and 16-18.

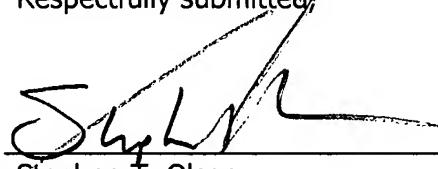
In view of the related nature of the two described embodiments of the present invention, Applicant does not believe an election should be required. However, if the Examiner should maintain this requirement, Applicant hereby elects Species I for prosecution on the merits. The following claims are readable on Species I: 1-4, 6, 8, 9, 11, 13, 14 and 16-18. Provided the election requirement is maintained, Applicant hereby withdraws Claims 5, 7, 10, 12 and 15 until such time a generic claim is allowed.

If the Examiner has any questions or believes that personal contact would expedite prosecution of this application, he is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Dated: January 28, 2005

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